

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

In re:)	Chapter 11
)	
THE IT GROUP, INC., et al.)	Case No. 02-10118 (MFW)
Debtors,)	Jointly Administered
_____)	
)	
IT LITIGATION TRUST,)	
Plaintiff,)	Civ. A. No. 04-CV-1268 (KAJ)
)	
v.)	
)	
DANIEL A D'ANIELLO, FRANCIS J)	
HARVEY, JAMES C McGill,)	
RICHARD W POGUE, PHILLIP B)	
DOLAN, E MARTIN GIBSON, ROBERT)	
F PUGLIESE, CHARLES W SCHMIDT,)	
JAMES DAVID WATKINS, ANTHONY)	
J DeLUCA, HARRY J. SOOSE, THE)	
CARLYLE GROUP, THE CARLYLE)	
GROUP, L L C , CARLYLE PARTNERS)	JURY TRIAL DEMANDED
II, L P , CARLYLE SBC PARTNERS, II,)	
L P , CARLYLE INTERNATIONAL)	
PARTNERS II, L P , CARLYLE)	
INTERNATIONAL PARTNERS III, C/S)	
INTERNATIONAL PARTNERS,)	
CARLYLE INVESTMENT GROUP, L P ,)	
CARLYLE-IT INTERNATIONAL)	
PARTNERS, L P , CARLYLE-IT)	
INTERNATIONAL PARTNERS II, L P ,)	
CARLYLE-IT PARTNERS L P , and T C)	
GROUP, L L C ,)	
Defendants)	

**DEFENDANTS' JOINT MOTION TO DISMISS
FOR LACK OF SUBJECT MATTER JURISDICTION**

Pursuant to Federal Rule of Civil Procedure 12(b)(1), Defendants Daniel A D'Aniello, Francis J. Harvey, James C McGill, Richard W. Pogue, Phillip B Dolan, E Martin Gibson, Robert F. Pugliese, Charles W Schmidt, James David Watkins, Anthony J DeLuca, Harry J Soose, Jr., The Carlyle Group, The Carlyle Group L L C , Carlyle Partners II, L P , Carlyle SBC Partners II, L P , Carlyle International Partners II, L P ,

Carlyle International Partners, III, C/S International Partners, Carlyle Investment Group, L P, Carlyle-IT International Partners, LP, Carlyle-IT International Partners, II, L P, Carlyle-IT Partners L P, and T C Group, L L C. (collectively, "Defendants"), by and through their respective undersigned counsel, hereby move this Court to dismiss Counts I through V and IX of the First Amended Complaint filed on January 28, 2005 against Defendants as set forth in the Amended Complaint at Civil Action No 04-1268 in the United States District Court for the District of Delaware for all of the reasons set forth in the supporting Brief.

Dated: March 2, 2005

Respectfully submitted,

/s/
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The Carlyle Group, The Carlyle Group
L L C , Carlyle Partners II, L.P. , Carlyle
SBC Partners II, L.P. , Carlyle International
Partners II, L.P. , Carlyle International
Partners III, C/S International Partners,
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